

ENTERED

January 05, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****ANGELA C.,****Plaintiff,****VS.****KILOLO KIJAKAZI,****Defendant.**§
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§**CIVIL ACTION NO. 4:22-CV-00904****ORDER ADOPTING REPORT AND RECOMMENDATION**

Defendant filed a Motion to Reverse and Remand. ECF No. 14. The Motion was referred to Magistrate Judge Dena Hanovice Palermo for a report and recommendation. On December 16, 2022, Judge Palermo recommended that Defendant's Motion be granted, Plaintiff's Complaint, ECF No. 1, be dismissed, and Plaintiff's Motion for Summary Judgment, ECF No. 10, be denied as moot. The time for filing objections has passed, and no objections were filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error. Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Defendant's Motion is **GRANTED**. The Commissioner's determination that Plaintiff is not disabled is **REVERSED** and the case is **REMANDED** to the Commissioner for further proceedings. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiff's Motion for Summary Judgment is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed at Houston, Texas on January 4, 2023



Keith P. Ellison
United States District Judge